

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION**

William E. Jones,	)	
	)	
	)	
Plaintiff,	)	
	)	Civil Action No.3:10-1182-MBS
-vs-	)	
	)	<b>ORDER</b>
	)	
Mahlon C. Rhanney, Jr., Scott Head,	)	
and M.C. Precast, Inc.,	)	
	)	
Defendants.	)	
_____	)	

The Court is advised that Defendant M.C. Precast, Inc. commenced proceedings for relief under Chapter 11 of the United States Bankruptcy Code in the Bankruptcy Court for the Northern District of Georgia on February 8, 2010. The bankruptcy court converted the case to one under Chapter 7 on May 17, 2010, and the case remains pending in that court. Defendant M.C. Precast is protected by the automatic stay provision in 11 U.S.C. § 362(a)(1) which provides *inter alia* that the filing of a petition under Chapter 7 operates as a stay of:

the commencement or continuation, including the issuance or employment of process, of a judicial, administrative, or other action or proceeding against the debtor that was or could have been commenced before the commencement of the case under this title, or to recover a claim against the debtor that arose before the commencement of the case under this title.

Therefore, “continuation” of proceedings in this case is prohibited by the automatic stay provision

in 11 U.S.C. § 362(a).

Accordingly, the Clerk's Entry of Default entered on October 7, 2011 is hereby vacated. Further proceedings in this case are stayed pursuant to 11 U.S.C. § 362(a) and until further order of this court.

IT IS SO ORDERED.

/s/ Margaret B. Seymour  
Chief United States District Judge

Columbia, South Carolina  
January 27, 2012.